

AN ORDINANCE amending the Thoroughfare  
Plan of the City Comprehensive ("Master")  
Plan by vacating a street thereof.

WHEREAS, a petition to vacate a public street within  
the City of Fort Wayne (as more specifically described  
below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing  
thereon; and

WHEREAS, said Commission has duly forwarded its  
recommendation to this body approving said petition, all in  
accordance with I.C. 36-7-4-512(2) and this body having held  
a public hearing on said vacation as provided in I.C. 36-7-  
4-12; and

WHEREAS, this body concurs in the recommendation of the  
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a  
public street within the City of Fort Wayne, more  
specifically described as follows, to-wit:

Vacation of Disc Drive in its entirety as recorded  
on the final plat of Summit Industrial Park by the  
Allen County Recorder on June 25, 1986, Recording  
No. 86-021841, in book 48, Page 2, the west twenty  
(20) feet of said Disc Drive to be subject to a  
utility easement.

and which vacating amends the Thoroughfare Plan of the City  
Comprehensive ("Master") Plan and is hereby approved in all  
respects.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage, any and all necessary  
approval by the Mayor.



#387

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Janet H. Bradbury  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

\*\* Public hearing to be held on \_\_\_\_\_,  
the \_\_\_\_\_ day of \_\_\_\_\_, 1989,  
in the Council Chambers.

\_\_\_\_\_  
Sandra E. Kennedy, City Clerk



Read the first time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Resolutions (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Thursday, the 9th day of May, 1989, at 7:00 o'clock P.M., E.S.T.  
DATE: 4-25-89 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>1</u>
<u>BRADBURY</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>BURNS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>HENRY</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>LONG</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>REDD</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
<u>TALARICO</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 5-5-89 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION)        (APPROPRIATION)        (GENERAL)        (SPECIAL)        (ZONING MAP)        ORDINANCE        RESOLUTION NO. 9-10-89 on the 9th day of May, 1989,

ATTEST: Sandra E. Kennedy SEAL Charles S. Reed  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of May, 1989, at the hour of 11:00 o'clock A.M., E.S.T.  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of May, 1989, at the hour of 11:20 o'clock A.M., E.S.T.  
Paul Helmke  
PAUL HELMKE, MAYOR



Date Filed: April 3, 1989

# Vacation Petition

XX/We the Fort Wayne Redevelopment Commission  
(Applicant's Name or Names)

PETITION TO VACATE A street in Summit Industrial Park known as Disc Drive  
(Street, Alley, Utility Easement, Plat,

Other )

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following street (Disc Drive) in Summit Park with the City of Fort Wayne, Indiana, and hereby described as follows:

Vacation of Disc Drive in its entirety as recorded on the final plat of Summit Industrial Park by the Allen County Recorder on June 25, 1986, Recording No. 86-021841, in book 48 page 2; the west twenty (20) feet of said Disc Drive to be subject to a utility easement.  
(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

Disc Drive is a cul-de-sac which serves Lots 10 to 15 in Summit Industrial Park  
The Fort Wayne Redevelopment Commission owns Lots 10 to 15 (all the real estate  
bordering Disc Drive). A company has exercised an option to purchase Lots 10 to 15  
of Summit Industrial Park subject to Disc Drive and a utility easement being  
vacated.  
(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner(s) pray that the above described street (Disc Drive) be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 3rd DAY OF April 19 89

~~Fort Wayne Redevelopment Commission~~  
Adjacent Property Owner  
Typed Name  
Room 840 City-County Building  
~~Fort Wayne, Indiana 46802~~  
Address

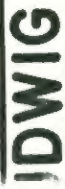
Signature Ronald Fletcher

Adjacent Property Owner  
Typed Name

Address

Signature







# 387  
ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Right-Of-Way Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Vacation of Disc Drive in Summit Industrial Park.

5-89-04-11

EFFECT OF PASSAGE Property is presently dedicated right of way. Property will be vacated and revert to the private use of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public right of way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_

BILL NO. G-89-04-11

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
STIER, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the  
Thoroughfare Plan of the City Comprehensive ("Master") Plan  
by vacating a street thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND  
BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) (~~RESOLUTION~~) Do Pass

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Janet G. Bradbury*  
*David C. Long*  
*Samuel Talarico*

DATED: 5-9-89.

Sandra E. Kennedy  
City Clerk

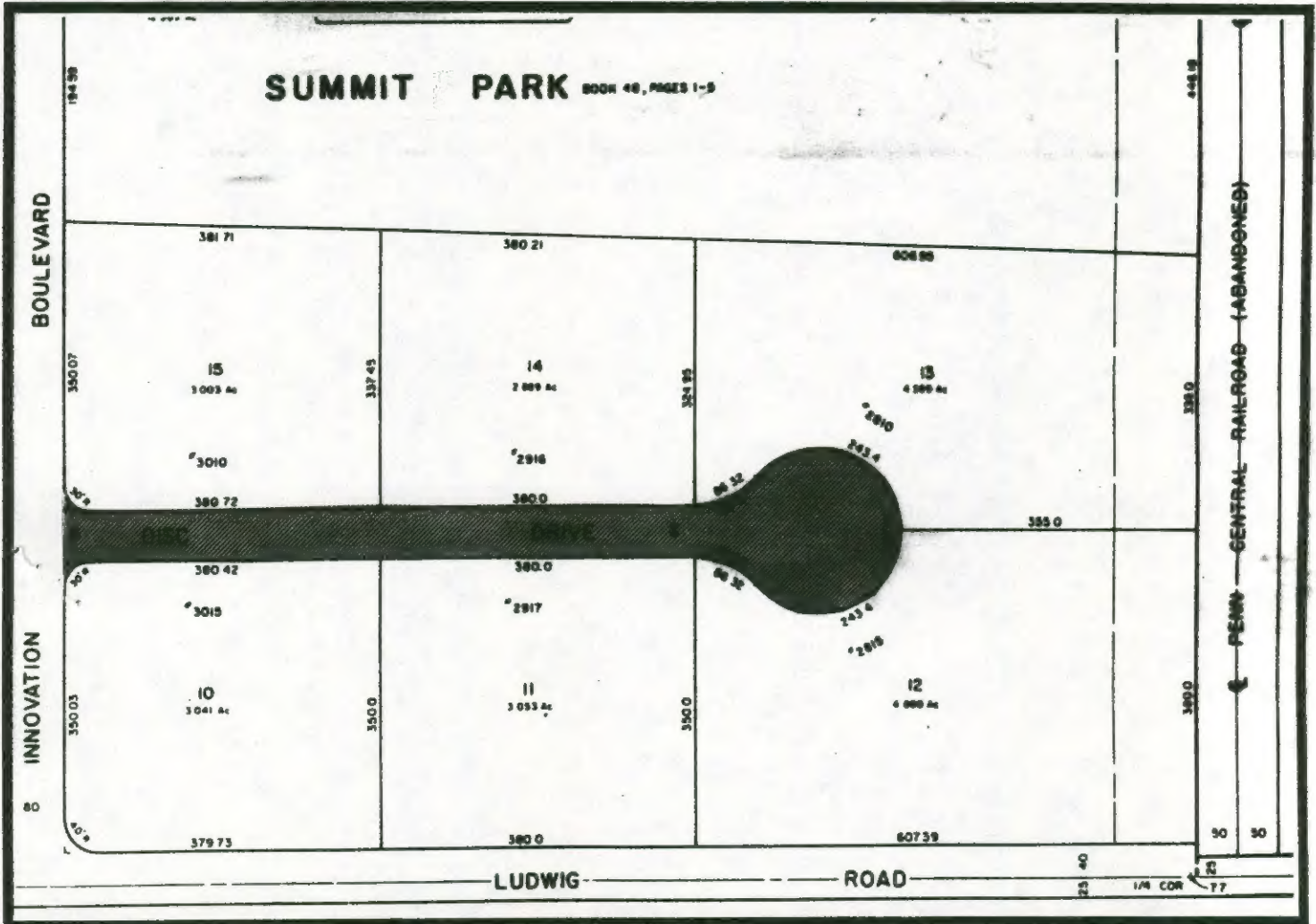


# VACATION PETITION #387

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC STREET.

MAP NO. I-42

COUNCILMANIC DISTRICT NO. 3



**ZONING:**

M2 GENERAL INDUSTRY

**LAND USE:**



VACANT

SCALE: 1"=200'

DATE: 4-4-89





## THE CITY OF FORT WAYNE

April 26, 1989

Ms. Cynthia Wilkins  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Wilkins:

Please give the attached full coverage on the date of April 29, 1989 in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. R-89-04-09 & R-89-04-10  
Declaratory Resolution

Bill No. G-89-04-11  
Right-of-Way Vacation Ordinance

Bill No. G-89-04-12  
Utility Easement Vacation Ordinance

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 3



NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-89-04-12)

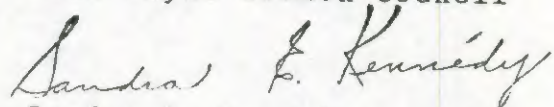
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 9, 1989, at 7:00 P.M., (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particulary described as follows:

Vacation of Disc Drive in Summit Industrial Park

Vacation of Disc Drive in its entirety as recorded on the final plat of Summit Industrial Park by the Allen County Recorder on June 25, 1986, Recording No. 86-021841, in book 48, Page 2, the west twenty (20) feet of said Disc Drive to be subject to a utility easement

All interested parties are invited to appear and be heard.

Fort Wayne Common Council



Sandra E. Kennedy  
City Clerk



Fort Wayne Common Council  
(Governmental Unit)To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

3

14

4

21

## COMPUTATION OF CHARGES

21 lines, 1 columns wide equals 21 equivalent lines  
at .330 cents per line\$ 6.93Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 8.93

## DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Larry ThompsonDate: April 29th, 19 89Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the

Son who, being duly sworn, says that he/The Journal-Gazette newspaper of general

ed in the English language in the (city) (town) of

and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for

1 time(s), the dates of publication being as follows:4/29/89Larry ThompsonSubscribed and sworn to before me this 29th day of Apr, 19 89Shelley B. Larue  
Notary Public / Whitley County, IN  
SHELLEY B. LARUEMy commission expires: March 3, 1990

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-89-04-11)  
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 9, 1989, at 7:00 P.M., (S.S.T.) in Room 126, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:  
Vacation of Disc Drive in Summit Industrial Park  
Vacation of Disc Drive in its entirety as recorded on

the final plat of Summit Industrial Park by the Allen County Recorder on June 25, 1986, Recording No. 86-021841, in book 48, page 2, the west twenty (20) feet of said Disc Drive utility easement.  
All interested parties are invited to appear and be heard.

Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

4--29



**Fort Wayne Common Council**

(Governmental Unit)

Allen

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

**PUBLISHER'S CLAIM****LINE COUNT**

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Larry Thompson

Date: April 29th, 1989

Title: Clerk

**PUBLISHER'S AFFIDAVIT**

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Larry Thompson who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time (s), the dates or publication being as follows:

4/29/89

Larry Thompson

29th

Apr

89

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1989

Notary Public Whitley County, IN  
 SHELLEY R. LARUE

My commission expires: March 3, 1990

**NOTICE OF PUBLIC HEARING  
 FORT WAYNE COMMON COUNCIL  
 (BILL NO. G-89-04-11)**

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 Sandra E. Kennedy  
 City Clerk